

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION	MDL No. 2323 NOTICE OF ATTORNEY'S LIEN
This document relates to: John Henry Smith, SPID 100014203	

NOTICE OF ATTORNEY'S LIEN BY
POPE, McGLAMRY, KILPATRICK, MORRISON & NORWOOD, P.C.
AS TO JOHN HENRY SMITH

This Notice is given by Michael L. McGlamry for Pope, McGlamry, Kilpatrick, Morrison & Norwood, P.C. ("Pope McGlamry"), pursuant to O.C.G.A. § 15-19-14 and executed employment contract section titled "Termination of this Agreement," and states as follows:

- (1) Mr. McGlamry ("Petitioner") is an attorney at law and files this Notice to establish his lien for attorney's fees as set forth hereinafter.
- (2) On or about September 22, 2014, Petitioner was retained and employed by former NFL player, John Henry Smith ("Mr. Smith"), pursuant to a contingent fee agreement, to pursue a claim for injuries and damages related thereto possibly caused by the National Football League's and all other responsible parties' liability for former and/or retired NFL players' long-term brain

injuries and other head injuries and damages associated with football-related concussions, head and brain injuries.

- (3) The specifics of the contingent fee agreement are as follows: If no recovery (by settlement or trial) is obtained client will not owe a legal fee or expenses. If Pope McGlamry obtains settlement or judgment for Client, Client will pay to Pope McGlamry thirty-three and 1/3 percent (33-13%) of the net recovery after reimbursement of expenses. Net recovery is the total recovery minus expenses. This fee was reduced to 20% in March 2016.
- (4) When Petitioner entered into a contract with Mr. Smith, he entered into the risk and expense of the litigation before any settlement discussion had been held.
- (5) From the date the Petitioner was authorized to proceed on behalf of the Mr. Smith, the Petitioner has actively and diligently applied himself to the investigation, preparation, and pursuit of Mr. Smith's claims, and has taken all steps necessary to prosecute those claims, including, but not limited to, correspondence and communications with the client; review of Questionnaire; and preparation for scheduling BAP appointments for the client.
- (6) Throughout this time, Petitioner has served and continues to serve on the Plaintiff Steering Committee, as co-lead of the Discovery Committee, a member of the Communications Committee and the Sub-Committee on

Attorney-Client Matters with regard to the litigation *In re: National Football League Players' Concussion Injury Litigation*, U.S. District Court, Eastern District of Pennsylvania, Case No. MDL No. 12-md-2323 (AB) , all of which has inured to the Mr. Smith's benefit with Pope McGlamry's representation.

- (7) Mr. Smith did not discharge Petitioner as his attorney, however, we received a Notice of Change in Representation. Attempts to reach Mr. Smith to confirm went unanswered.
- (8) The Petitioner was not terminated by the Mr. Smith for cause, and the termination was not due to any malfeasance or other improper action on the part of the Petitioner.
- (9) The Petitioner claims the right to have a lien for attorney's fees and expenses established and enforced upon any sums to be derived from any settlement or judgment obtained or to be obtained by Mr. Smith in this action. The amount of fees expended on Plaintiff John Henry Smith's case until the date of termination is \$356.50.

Dated: February 24, 2021.

Respectfully submitted,

POPE, McGLAMRY, KILPATRICK,
MORRISON & NORWOOD, P.C.

/s/ Michael L. McGlamry

Michael L. McGlamry
3391 Peachtree Road, NE, Suite 300
Atlanta, GA 30326

Ph: (404) 523-7706

Fx: (404) 524-1648

efile@pmkm.com